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EXAMINER

BAUGH, APRIL L

ART UNIT PAPER NUMBER

2143

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/497,992

Applicant(s)

MALLER, STEVEN T.

Examiner

April L Baugh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- ☐ Interview Summary (PTO-413) Paper No(s) ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Cobb.

Regarding to claim 1, Paul teaches an email filtering method (column 1, lines 6-9) comprising: defining at least one heuristic that determines whether an incoming email message likely constitutes unsolicited commercial email by considering an established pattern that such unsolicited commercial email typically exhibits when it is sent; applying said at least one heuristic to at least one email message (column 2, lines 7-9).

Paul does not teach redirecting emails are likely to be unsolicited commercial email. Cobb teaches redirecting said at least one email message if application of said at least one heuristic indicates that said at least one email message likely constitutes an unsolicited commercial email (column 3, lines 36-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul by redirecting emails that are likely to be unsolicited commercial email because by placing all unsolicited emails in one location the system is able to save storage space.

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Referring to claim 2, Paul teaches the email filtering method of claim 1 (column 1, lines 6-9).

Paul does not teach of redirecting an email message. Cobb teaches said redirecting comprises placing a copy of the email message at a single location from which it can be accessed by more than one intended recipient of the email message (column 3, lines 36-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul by said redirecting comprises placing a copy of the email message at a single location from which it can be accessed by more than one intended recipient of the email message because by placing all unsolicited emails in one location the system is able to save storage space.

Referring to claim 5, Paul teaches the email filtering method of claim 1 (column 1, lines 6-9), wherein said at least one heuristic considers a pattern associated with the email message (column 2, lines 7-9).

Paul does not teach at least one heuristic considers a pattern associated with the number of specified recipient addresses. Cobb teaches said at least one heuristic considers a pattern associated with the number of specified recipient addresses of the email message (column 16, lines 25-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul by said at least one heuristic considers a pattern associated with the number of specified recipient addresses of the email message because a large number of recipient addresses is a characteristic of unsolicited email and therefore will allow the system to identify junk email.

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Regarding claim 3, Paul teaches the email filtering method of claim 1, wherein said defining comprises defining a plurality of heuristics (column 2, line 7-9) that are independent of the message conveyed by any of the content contained in an email message (column 1, lines 43-45 and 55-57).

Referring to claim 4, Paul teaches the email filtering method of claim 1, wherein said at least one heuristic (column 2, lines 7-8) has at least one parameter that can be adjusted, and further comprising adjusting said at least one parameter to vary the pattern that is considered (column 2, lines 16-17).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Cobb as applied to claims 1-5 above, and further in view of Mullan et al.

Regarding claim 6, Paul in view of Cobb teaches the email filtering method of claim 5 (column 1, lines 6-9 of Paul).

Paul in view of Cobb does not teach the pattern is associated with the number of invalid specified recipient addresses. Mullan et al. teaches the pattern is associated with the number of invalid specified recipient addresses (column 10, lines 37-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Cobb by having the pattern be associated with the number of invalid specified recipient addresses because a large number of invalid recipient addresses is a characteristic of unsolicited email and therefore will allow the system to identify junk email.

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4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Cobb as applied to claims 1-5 above, and further in view of Stockwell et al. (US Pat. No. 6,072,942).

Regarding claim 7, Paul in view of Cobb teaches the email filtering method of claim 1 (column 1, lines 6-9 of Paul) wherein said at least one heuristic considers a pattern associated with the email message (column 2, lines 7-9 of Paul).

Paul in view of Cobb does not teach at least one heuristic considers a pattern associated with the size of an email message. Stockwell et al. teaches at least one heuristic considers a pattern associated with the size of an email message (column 15, lines 21-22 and 33-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Cobb by having at least one heuristic consider a pattern associated with the size of an email message because an email large in size is a characteristic of unsolicited email and therefore will allow the system to identify junk email.

Referring to claim 8, Paul in view of Cobb teaches the email filtering method of claim 1 (column 1, lines 6-9 of Paul) wherein said at least one heuristic considers patterns associated with the number of specified recipient addresses of the email message (column 16, lines 25-30).

Paul in view of Cobb does not teach that the heuristic considers the size of the email message. Stockwell teaches the heuristic considers patterns associated with the size of the email message (column 15, lines 21-22 and 33-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system

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and method for filtering unsolicited email of Paul in view of Cobb by having the heuristic consider the size of the email message because many unsolicited emails have the characteristic of being larger size emails therefore this heuristic will help identify junk emails.

5. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Cobb as applied to claim 1-5 above, and further in view of Sakaguchi et al.

Regarding claim 9, Paul in view of Cobb teaches the email filtering method of claim 1 (column 1, lines 6-9 of Paul).

Paul in view of Cobb does not teach notifying at least one intended recipient that an email message intended for them has been redirected. Sakaguchi et al. teaches after said redirecting, notifying at least one intended recipient that an email message intended for them has been redirected (column 8, lines 22-26). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Cobb by after said redirecting, notifying at least one intended recipient that an email message intended for them has been redirected because this way the recipient will know where to locate the unsolicited email if they choose to read it.

Referring to claim 10, Paul in view of Cobb teaches the email filtering method of claim 1 (column 1, lines 6-9 of Paul).

Paul in view of Cobb does not teach redirecting said at least one email message and notifying intended recipients of the email message. Sakaguchi et al. teaches redirecting comprising redirecting said at least one email message to a location that can be shared by a plurality of intended recipients for reading said email message (column 8, lines 31-34), and

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further comprising after said redirecting, notifying intended recipients of the email message that an email message intended for them has been redirected to said location (column 8, lines 22-26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Cobb by redirecting said at least one email message and notifying intended recipients of the email message that an email message intended for them has been redirected because placing all unsolicited emails in one location the system is able to save storage space and notification will allow the recipient to know where to locate the unsolicited email if they choose to read it.

Regarding claim 11, Paul in view of Cobb teaches the email filtering method of claim 10 (column 1, lines 6-9 of Paul).

Paul in view of Cobb does not teach redirecting comprises storing only one copy of the email message. Sakaguchi et al. teaches said redirecting comprises storing only one copy of the email message (column 2, lines 3-4 and column 8, lines 31-34). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Cobb by having redirecting comprise storing only one copy of the email message because placing only one copy of all unsolicited emails in one location the system is able to save storage space.

6. Claims 12-15, 24-27, 29, 30, 33-36, 38, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Stockwell et al. (US Patent No. 6,072,942), and further in view of Sakaguchi et al.

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Regarding claim 12, Cobb in view of Stockwell et al. teaches an email filtering method (column 2, lines 21-23 of Cobb) comprising: receiving an email message at an email server that maintains inboxes for individual recipients (column 2, lines 34-35 of Cobb), wherein the email message is addressed to a plurality of recipients (column 16, line 21-23 of Cobb); determining unwanted emails for the email message at the server location based upon at least one of (a) the size of the email message (column 15, lines 21-22 and 33-35 of Stockwell et al.), and (b) the number of specified recipient addresses; comparing this with a threshold value that defines a likelihood of whether an email message constitutes an unwanted email message (column 16, lines 25-30 of Cobb).

Cobb in view of Stockwell et al. does not teach calculating a score based on the patterns and comparing this score to a threshold and in turn if the threshold is exceeded placing the email in a location and sending an notification to the intended recipient. Sakaguchi et al. teaches calculating a score based on the patterns and comparing this score to a threshold (column 6, lines 56-62) and responsive to the email message exceeding the threshold value, placing a copy of the email message at a first location other than any of the intended recipients' inboxes (column, lines 31-34); and sending a notification to the intended recipients that a copy of an email message that was intended for them has been placed at the first location (column 8, lines 22-26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by calculating a score based on the patterns and comparing this score to a threshold and in turn if the threshold is exceeded placing the email in a location and sending an notification to the intended recipient because emails that are not junk may possess some of the

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patterns and this score method helps the system to not junk emails that are not unsolicited emails yet they may possess a couple of characteristics of junk email.

Referring to claim 13, Cobb teaches the email filtering method of claim 12 (column 2, lines 21-23).

Cobb does not teach the threshold value is determined independent of the message. Stockwell et al. teaches the threshold value (column 13, lines 64-65) is determined independent of the message conveyed by any of the text that is contained in any part of the email message (column 15, lines 22 and 33). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb by having the threshold value be determined independent of the message conveyed by any of the text that is contained in any part of the email message because determining junk email by the content of the message is unreliable in that it may cause the system to identify solicited mail as junk mail and vice versa.

Regarding claim 14, Cobb in view of Stockwell et al. teaches the email filtering method of claim 12, wherein junk email determination is based upon both the size of the email message (column 15, lines 21-22 and 33-35 of Stockwell et al.) and the number of specified recipient addresses (column 16, lines 25-30 of Cobb).

Cobb in view of Stockwell et al. does not teach of a score. Sakaguchi et al. teaches of a score (column 6, lines 56-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by calculating a score based on the patterns because emails that are not junk may possess some of the patterns and this score method helps

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the system to not junk emails that are not unsolicited emails yet they may possess a couple of characteristics of junk email.

Referring to claim 24, Cobb in view of Stockwell et al. teaches a programmed email server that contains computer-readable instructions (column 6, line 28 and column 7, lines 52-55 of Stockwell et al.) which, when executed by the email server, perform the following steps: determining whether an email message that is received by the email server likely constitutes an unwanted email message (column 2, lines 27-29 of Cobb).

Cobb in view of Stockwell et al. does not teach storing an unwanted email and notifying the intended recipient. Sakaguchi et al. teaches if the email message likely constitutes an unwanted email message: storing a copy of the email message at a first storage location rather than individual storage locations that are dedicated to individual intended recipients of the email message (column 8, lines 31-34); and notifying intended recipients of the email message that an email message addressed to them has been received by the server (column 8, lines 22-26). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by storing an unwanted email and notifying the intended recipient because placing all unsolicited emails in one location the system is able to save storage space and the system can then notify the recipient so that they may view it at a time that is convenient to them.

Referring to claim 26, Cobb in view of Stockwell et al. teaches the steps of claim 24 (column 2, lines 27-29 of Cobb).

Cobb in view of Stockwell et al. does not teach enabling intended recipients to read the email message Sakaguchi et al. teaches enabling intended recipients, if they so desire, to read the

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email message at the first storage location (column 1, lines 21-23). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by enabling intended recipients, if they so desire, to read the email message at the first storage location because although the email has been identified as unsolicited the recipient after reading the email may be interested in its contents.

Referring to claim 29, Cobb teaches the steps of claim 24 (column 2, lines 27-29 of Cobb).

Cobb does not teach determining takes place by considering the size of the email message Stockwell et al. teaches said determining takes place by considering the size of the email message (column 15, lines 21-22 and 33-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb by having said determining take place by considering the size of the email message because many unsolicited emails have the characteristic of being larger size emails therefore this heuristic will help identify junk emails.

Referring to claim 34, Cobb in view of Stockwell et al. an email screening method comprising: developing a profile of unsolicited commercial email based upon the size of an email message (column 15, lines 21-22 and 33-35 of Stockwell et al.) and the number of specified recipient addresses of the email message (column 16, lines 25-30 of Cobb).

Cobb in view of Stockwell et al. does not teach a mail server that stores and distributes email based on a profile. Sakaguchi et al. teaches configuring a mail server that is responsible for storing and distributing email messages to a plurality of clients with a filter processor that is programmed to evaluate email messages that are received in light of the developed profile;

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evaluating email messages with the filter processor and determining whether the email messages fit the developed profile; and to if an email message fits the developed profile, initiating a remedial measure that ensures that the mail server does not make as many copies of the email message as there are specified recipient addresses (column 1, line 67 through column 2, line 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by having a mail server that stores and distributes email based on a profile because a profile of the characteristics of junk email help to identify unsolicited email and placing all unsolicited emails in one location the system is able to save storage space.

Referring to claim 36, Cobb in view of Stockwell et al. teaches the email screening method of claim 34 (column 15, lines 21-22 and 33-35 of Stockwell et al.) and (column 16, lines 25-30 of Cobb).

Cobb in view of Stockwell et al. does not teach storing one copy of the email message at a server storage location and notifying intended recipients. Sakaguchi et al. teaches said remedial measure comprises storing one copy of the email message at a server storage location, instead of storing multiple copies of the email message for the specified recipient addresses (column 8, lines 31-34), and notifying intended recipients that an email message intended for them has been stored at the server storage location (column 8, lines 22-26). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by storing one copy of the email message at a server storage location, instead of storing multiple copies of the email message for the specified recipient addresses, and notifying intended recipients that an

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email message intended for them has been stored at the server storage location because placing all unsolicited emails in one location the system is able to save storage space and the system can then notify the recipient so that they may view it at a time that is convenient to them.

Regarding claim 38, Cobb in view of Stockwell et al. teaches the email screening method of claim 37 (column 15, lines 21-22 and 33-35 of Stockwell et al.) and (column 16, lines 25-30 of Cobb).

Cobb in view of Stockwell et al. does not teach reading the email message from the server storage to location. Sakaguchi et al. teaches for each recipient who so desires, reading the email message from the server storage to location (column 1, lines 21-23). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by for each recipient who so desires, reading the email message from the server storage to location because although the email has been identified as unsolicited the recipient after reading the email may be interested in its contents.

Regarding claim 40, Cobb in view of Stockwell et al. teaches an email delivery method (column 2, lines 24-25 of Stockwell et al.) comprising: establishing a bulk email folder in which bulk email is to be stored; comparing an address for the sender of the email message with a recipient's list of approved senders; and delivering the email message to the single, shared location if: (a) the email message is not directly addressed to a recipient that is serviced by the server, and (b) the sender's address does not appear in the recipient's list of approved senders (column 3, lines 52-62 of Cobb).

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Cobb in view of Stockwell et al. does not teach of having an email server to receive email messages and deliver them either to multiple server storage locations. Sakaguchi et al. teaches of configuring an email server to receive email messages and deliver them either to multiple server storage locations that are dedicated to storing email messages for respective recipients or to a single, shared location that can be shared by a plurality of the recipients; receiving an email message (column 1, line 67 through column 2, line 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by having an email server to receive email messages and deliver them either to multiple server storage locations because placing all unsolicited emails in one location the system is able to save storage space.

Referring to claim 41, Cobb in view of Stockwell et al. teaches the email delivery method of claim 40 (column 2, lines 24-25 of Stockwell et al.).

Cobb in view of Stockwell et al. does not teach maintaining the email message at the single, shared location only for a determinable amount of time. Sakaguchi et al. teaches maintaining the email message at the single, shared location only for a determinable amount of time (column 2, lines 37-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. by maintaining the email message at the single, shared location only for a determinable amount of time because placing the junk emails at only one location and for a limited amount of time saves storage space in the system for other use.

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Regarding claim 15, Cobb teaches the email filtering method of claim 12, wherein said first location is a storage location (column 3, lines 36-37) that is managed by the email server (column 6, lines 17-19).

Regarding claim 25, Cobb teaches the steps of claim 24, wherein said determining takes place (column 2, lines 21-23) without considering the message conveyed by any content of the sender's address field, the subject field, or the message field (column 8, lines 42-47).

Regarding to claim 27, Cobb teaches the steps of claim 26, wherein said enabling comprises doing so without making any copies of the copy of the email message at the first storage location (column 3, lines 36-38).

Regarding claim 30, Cobb teaches the steps of claim 24, wherein said determining takes place by 10 considering the number of specified recipient addresses of the email message (column 16, lines 25-30).

Regarding claim 33, Cobb teaches the steps of claim 32, wherein the heuristics are adjustable (column 17, lines 40-41).

Regarding claim 35, Cobb teaches the email screening method of claim 34, wherein said remedial measure comprises storing one copy of the email message at a server storage location, instead of storing multiple copies of the email message for the specified recipient addresses (column 3, lines 36-38).

7. Claims 16, 23, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Stockwell et al. (US Patent No. 6,072,942) and Sakaguchi et al. as applied to claims 12-15, 24-27, 29, 30, 34-36, 38, 40, and 41 above, and further in view of Mullan et al.

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Regarding claim 16, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the email filtering method (column 2, lines 21-23 of Cobb) of claim 12 and of threshold values (column 13, lines 64-65 of Stockwell et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach that the threshold is based upon the number of invalid specified recipient addresses. Mullan teaches of the number of invalid specified recipient addresses (column 10, lines 37-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by having the threshold be based upon the number of invalid specified recipient addresses because many unsolicited emails have the characteristic of having many invalid recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

Referring to claim 23, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the steps of claim 19 further comprising prior to said placing: defining a profile of unwanted email messages based upon at least one of: the size of an email message (column 15, lines 21-22 and 33-35 of Stockwell et al.) and the number of specified recipient addresses (column 16, lines 25-30 of Cobb); determining whether an email message meets the profile; and wherein said placing and said notifying takes place only if the email message meets the profile (column 8, lines 22-26 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of the number of invalid specified recipient addresses. Mullan teaches of the number of invalid specified recipient addresses (column 10, lines 37-38). Therefore, it would have been obvious to one

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having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by having unwanted email be based upon the number of invalid specified recipient addresses because many unsolicited emails have the characteristic of having many invalid recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

Referring to claim 31, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the steps of claim 24 (column 2, lines 27-29 of Cobb) and (column 8, lines 22-26 and lines 31-34 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach determining takes place by considering the number of invalid specified recipient addresses. Mullan teaches determining takes place by considering the number of invalid specified recipient addresses (column 10, lines 37-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by determining takes place by considering the number of invalid specified recipient addresses because many unsolicited emails have the characteristic of having many invalid recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

Regarding claim 32, Cobb teaches the steps of claim 24, wherein said determining takes place by defining a plurality of heuristics that establish a profile of unwanted email messages, wherein the profile considers factors that are independent of any message conveyed by an email message's content, and applying the plurality of heuristics to an email message (column 17, line 40-41).

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8. Claims 17 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Stockwell et al. (US Patent No. 6,072,942) and Sakaguchi et al. as applied to claims 12-15, 24-27, 29, 30, 34-36, 38, 40 and 41 above, and further in view of Guck.

Regarding to claim 17, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the email filtering method (column 2, lines 21-23 of Cobb) of claim 12 and sending of the notification (column 8, lines 22-26 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of pointers. Guck teaches sending of the notification comprises placing a pointer in an email folder of each recipient of the email message (column 15, lines 54-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by placing a pointer in an email folder of each recipient of the email message because this directs the recipient from their email folder to the storage location where the unsolicited email is stored.

Referring to claim 37, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the email screening method of claim 34, wherein said remedial measure comprises storing one copy of the email message at a server storage location, instead of storing multiple copies of the email message for the specified recipient addresses (column 8, lines 31-34 of Sakaguchi et al.), and notifying intended recipients that an email message intended for them has been stored at the server storage location (column 8, lines 22-26 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of pointers. Guck teaches sending of the notification comprises placing a pointer in an email folder of the intended

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recipients (column 15, lines 54-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by placing a pointer in an email folder of the intended recipients because this directs the recipient from their email folder to the storage location where the unsolicited email is stored.

9. Claims 18, 28, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Stockwell et al. (US Patent No. 6,072,942) and Sakaguchi et al. as applied to claims 12-15, 24-27, 29, 30, 34-36, 38, 40 and 41 above, and further in view of Paul.

Regarding claim 18, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the email filtering method of claim 12 further comprising making a recipient copy of the email message and placing the recipient copy at a dedicated recipient storage location (column 8, lines 31-34 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of storing a copy of the email responsive to a request from a recipient. Paul teaches of recipient request (column 1, lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by storing a copy of the email responsive to a request from a recipient because by placing the junk email in the recipients box only by request the system is able to save storage space.

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Regarding claim 28, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the steps of claim 26 further comprising making a copy of the email message, and storing said copy at a recipient-specific location (column 8, lines 31-34 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of receiving instructions from an intended recipient that a copy of the email message is made specifically for them. Paul teaches of receiving instructions from an intended recipient (column 1, lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by receiving instructions from an intended recipient that a copy of the email message be made specifically for them because copying and placing the junk email in the recipients box only by request the system is able to save storage space.

Regarding claim 39, Cobb in view of Stockwell et al. and Sakaguchi et al. teaches the email screening method of claim 37 further comprising copying the email message from the server storage location to a recipient-location (column 8, lines 31-34 of Sakaguchi et al.).

Cobb in view of Stockwell et al. and Sakaguchi et al. does not teach of copying emails for each recipient who so desires. Paul teaches of copying emails for each recipient who so desires (column 1, lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb in view of Stockwell et al. and Sakaguchi et al. by copying emails for each recipient who so desires because copying and placing the junk email in the recipients box only by request the system is able to save storage space.

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10. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,103 to Sakaguchi et al. in view of Stockwell et al. (US Patent No. 6,072,942).

Regarding claim 19, Sakaguchi et al. receiving an email message at a server location, the email message being addressed to a plurality of recipients; placing only one copy of the email message at a first storage location that is not a dedicated storage location for just one of the intended recipients (column 8, lines 31-34); and notifying each of the intended recipients that an email message intended for them has been placed at the first location (column 8, lines 22-26).

Sakaguchi et al. does not teach of a computer program. Stockwell et al. teaches of a computer program stored on one or more computer readable media for processing email (column 7, lines 52-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the email determination method and system of Sakaguchi et al. by having a computer program stored on one or more computer readable media for processing email because the program is the software needed to direct the computer hardware on how to process emails.

Regarding claim 20, Sakaguchi et al. teaches the steps of claim 19, wherein the first storage location is a storage location that is managed by a server associated with the server location (column 6, lines 28-29).

Referring to claim 21, Sakaguchi et al. teaches the steps of claim 19, wherein the first storage location is a storage location (column 8, lines 31-34) that is managed by a server associated with the server location, and is accessible to any of the intended recipients (column 1, lines 21-23).

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11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,103 to Sakaguchi et al. in view of Stockwell et al. (US Patent No. 6,072,942) as applied to claims 19-21 above, and further in view of Guck.

Regarding claim 22, Sakaguchi et al. in view of Stockwell et al. teaches the steps of claim 19 and of notifying (column 8, lines 22-26 of Sakaguchi et al.).

Sakaguchi et al. in view of Stockwell et al. does not teach of pointers. Guck teaches wherein said notifying comprises creating a pointer to the first location, and placing the pointer at a plurality of second locations each of which being dedicated to a different one of the intended recipients, wherein individual recipients can use the pointer to access the email message at the first storage location (column 15, lines 54-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Sakaguchi et al. in view of Stockwell et al. by notifying comprising creating a pointer to a location and recipients can use the pointer to access the email message because this directs the recipient from their email folder to the storage location where the unsolicited email is stored and by storing the junk emails in one location system space is saved.

12. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Sakaguchi et al.

Regarding claim 42, Cobb teaches of an email screening method (column 2, lines 27-29).

Cobb does not teach developing a profile of unwanted email messages based upon whether an email message is similar in content to another email message and if the email message fits the developed profile, placing a copy of the email message in a first location then notifying the

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multiple clients that an email message addressed to them has been received. Sakaguchi et al. teaches developing a profile of unwanted email messages based upon whether an email message is similar in content to another email message (column 10, lines 38-40); configuring a mail server that is responsible for storing email messages for a plurality of clients (column 8, lines 31-34) with a filter processor that is programmed to evaluate email messages that are received in light of the developed profile (column 3, lines 58-64); evaluating email messages with the filter processor and determining whether the email message fits the developed profile; and if the email message fits the developed profile, placing a copy of the email message in a first location and, rather than placing multiple copies of the email message in multiple dedicated client storage locations, notifying the multiple clients that an email message addressed to them has been received so that the clients can read the email message if they so desire (column 8, lines 22-26). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Cobb by developing a profile of unwanted email messages based upon whether an email message is similar in content to another email message and if the email message fits the developed profile, placing a copy of the email message in a first location then notifying the multiple clients that an email message addressed to them has been received because if a current email message is similar in content to an email that has already been identified as a junk email then more than likely that current email is junk as well and placing all junk email in one location saves storage space and notifying the recipient allows them the opportunity to read the junk email.

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13. Claims 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,102 to Cobb in view of Sakaguchi et al. as applied to claim 42 above, and further in view of Stockwell et al. (US Patent No. 6,144,934).

Regarding claim 43, Sakaguchi et al. in view of Cobb teaches an email screening method (column 2, lines 27-29 of Cobb) comprising: defining an index having values that are assigned to various degrees of desirability that an email message can have, wherein the degrees of desirability extend from a low degree of desirability to a high degree of desirability (column 6, lines 56-67 through column 7, line 5 of Sakaguchi et al.); and establishing a user interface through which a user can adjust either (a) individual parameter values that, in turn, establish a degree of desirability, or (b) index values that themselves establish a degree of desirability (column 17, lines 40-41 of Cobb) that email messages must have in order to be saved to dedicated user storage locations; and evaluating incoming email messages against the index value that is defined by the user (column 6, lines 28-29 of Sakaguchi et al.).

Sakaguchi et al. in view of Cobb does not teach of parameters. Stockwell et al. teaches of associating a plurality of parameters having parameter values with the various degrees of desirability, wherein at least some of the parameters do not depend on any message that is conveyed by any content of an email message (column 2, lines 19-21). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Sakaguchi et al. in view of Cobb by associating a plurality of parameters with the various degrees because to rank the desirability of reading an email certain parameters which identify junk mail much be attached to this rank to define which emails are not junk mail and therefore more desirable to read.

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Referring to claim 44, Cobb teaches the email screening method of claim 43, wherein the parameter values are adjustable (column 17, lines 40-41).

Regarding claim 45, Cobb teaches the email screening method of claim 43, wherein one of the parameters is associated with the number of specified recipient addresses (column 16, lines 25-30).

14. Claims 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,103 to Sakaguchi et al. in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) as applied to claims 43-45 above, and further in view of Mullan.

Regarding claim 46, Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) teaches the email screening method of claim 43 (column 2, lines 27-29 of Cobb).

Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) does not teach one of the parameters is associated with a percentage of invalid specified recipient addresses. Mullan teaches one of the parameters is associated with a percentage of invalid specified recipient addresses (column 10, lines 37-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) by having one of the parameters is associated with a percentage of invalid specified recipient addresses because many unsolicited emails have the characteristic of having many invalid recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

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15. Claims 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,199,103 to Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) as applied to claims 43-45 above, and further in view of Stockwell et al. (US Patent No. 6,072,942)

Referring claim 47, Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) teaches the email screening method of claim 43 (column 2, lines 27-29 of Cobb).

Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) does not teach one of the parameters is associated with the size of an email message. Stockwell et al. (US Patent No. 6,072,942) teaches one of the parameters is associated with the size of an email message (column 15, lines 21-22 and 33-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering email of Sakaguchi in view of Cobb and Stockwell et al. (US Patent No. 6,144,934) by having one of the parameters be associated with the size of an email message because many unsolicited emails have the characteristic of being large in size therefore this heuristic will help identify junk emails.

16. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Sakaguchi et al.

Referring to claim 48, Paul teaches an email server system (column 6, lines 66-67) comprising: a user storage database configured to store user information including email messages that are intended for individual users (column 3, line 37); and a server configured to receive email messages that are intended for various users (column 6, lines 51-53); to wherein the server is further configured to screen email messages based upon a set of heuristics that

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determine whether an email message likely constitutes an unwanted email message (column 1, lines 6-9 and column 2, lines 53-54).

Paul does not teach of storing the email messages within the user storage database. Sakaguchi et al. teaches the server further being configured to place a single copy of an email message in a storage location that is not a dedicated user storage location if it is determined by screening the email message that it likely constitutes an unwanted email message (column 8, lines 31-34). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul by storing the email messages within the user storage database because by placing all unsolicited emails in one location the system is able to save storage space.

17. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Sakaguchi et al. as applied to claim 48 above, and further in view of Stockwell et al. (US Patent No. 6,072,942).

Regarding claim 49, Paul in view of Sakaguchi et al. teaches the email server system of claim 48 (column 6, lines 66-67 of Paul).

Paul in view of Sakaguchi et al. does not teach the set of heuristics considers the size of an email message. Stockwell et al. teaches the set of heuristics considers the size of an email message (column 15, lines 21-22 and 33-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Sakaguchi et al. by having the set of heuristics consider the size of an email message because many unsolicited emails have the characteristic of being large in size therefore this heuristic will help identify junk emails.

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18. Claim 50 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Sakaguchi et al. as applied to claim 48 above, and further in view of Cobb.

Referring to claim 50, Paul in view of Sakaguchi et al. teaches the email server system of claim 48 (column 6, lines 66-67 of Paul).

Paul in view of Sakaguchi et al. does not teach set of heuristics considers the number of specified user addresses. Cobb teaches the set of heuristics considers the number of specified user addresses that are specified by an email message (column 16, lines 25-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Sakaguchi et al. by having the set of heuristics consider the number of specified user addresses that are specified by an email message because many unsolicited emails have the characteristic of having many recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

19. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Sakaguchi et al. as applied to claim 48 above, and further in view of Mullan et al.

Referring to claim 51, Paul in view of Sakaguchi et al. teaches the email server system of claim 48 (column 6, lines 66-67 of Paul).

Paul in view of Sakaguchi et al. does not teach the set of heuristics considers the number of invalid specified user addresses that are specified by an email message. Mullan et al. teaches the set of heuristics considers the number of invalid specified user addresses that are specified by an

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email message (column 10, lines 37-38). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Sakaguchi et al. by having the set of heuristics consider the number of invalid specified user addresses that are specified by an email message because many unsolicited emails have the characteristic of having many invalid recipient addresses in the address field of a junk email therefore this heuristic will help identify junk emails.

20. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,999,932 to Paul in view of Sakaguchi et al. as applied to claim 48 above, and further in view of Guck.

Regarding to claim 52, Paul in view of Sakaguchi et al. teaches the email server system (column 6, lines 51-53 of Paul) of claim 48 and dedicated user storage location that corresponds to a valid specified user address contained in the email message (column 8, lines 31-34 of Sakaguchi et al.).

Paul in view of Sakaguchi et al. does not teach of pointers. Guck teaches wherein the server is further configured to place a pointer to the storage location in which the single copy of the email message is placed (column 15, lines 54-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system and method for filtering unsolicited email of Paul in view of Sakaguchi et al. by placing a pointer to the storage location in which the single copy of the email message is placed because this directs the recipient from their email folder to the storage location where the unsolicited email is stored and saves system space by having all junk emails in one location.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3719 for regular communications and 703-305-3719 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ALB
October 2, 2002


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